

**TOWN OF NATICK**  
**TO BECOME EFFECTIVE JULY 1, 1963**  
**RULES AND REGULATIONS**  
**GOVERNING THE SUBDIVISION OF LAND**  
**NATICK, MASSACHUSETTS**

(with amendments through April 18, 2001)

At a regular meeting of the Natick Planning Board of the Town of Natick held on June 24, 1963 it was unanimously voted:

that under the provisions of General Laws (Tercentary Edition), Chapter 41, Section 81-A to 81-GG inclusively, as amended, and the General By-Laws and Zoning By-Laws of the Town of Natick with amendments thereto, the following Rules and Regulations are established and amended covering the submission and approval of subdivision plans.

**PLANNING BOARD OF THE TOWN OF  
NATICK, MASSACHUSETTS**

Carleton R. Leavitt, Chairman

Elizabeth A. Bransfield, Secretary

George P. Sellew

George T. Hazen, Jr.

Charles M. Harden

June 25, 1963 Received in the Town Clerk's Office, Natick, Massachusetts

James H. Fleming  
Town Clerk



**RULES AND REGULATIONS**  
**GOVERNING THE SUBDIVISION OF LAND**  
**NATICK, MASSACHUSETTS**  
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RULES AND REGULATIONS  
GOVERNING THE SUBDIVISION OF LAND  
IN NATICK, MASSACHUSETTS

Subdivision Rules and Regulations adopted under the provisions of General Laws, Chapter 41, Section 81-A to 81-GG, inclusive, as amended.

PURPOSE

"The Subdivision Control Law has been enacted for the purpose of protecting the safety, convenience, and welfare of the inhabitants of the cities and towns in which it is, or may hereinafter be, put into effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and, in proper cases, parks and open areas. The powers of a Planning Board and of a Board of Appeal under the Subdivision Control Law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in cases of fire, flood, panic, and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the ways in neighboring subdivisions." (Section 81-M of Chapter 41 G.L.)

SECTION I. AUTHORITY

Under the authority vested in the Planning Board of the Town of Natick by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these Rules and Regulations governing the subdivision of land in the Town of Natick. Such Rules and Regulations shall be effective as of July 1, 1963.

SECTION II. GENERAL

A. Definitions

1. "'Subdivision' shall mean the division of a tract of land into two or more lots" and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way, or (b) a way shown on a plan theretofore approved in accordance with the Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective in the city or town in which the land lies, having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by zoning and other ordinance or by-law, if any, of said city or town for erection of a building on such lot, and if no distance is so required, such frontage shall be of at least twenty feet. Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the

Subdivision Control Law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.” (Section 81-L of Chapter 41 G.L.)

2. “Board” shall mean the Planning Board of the Town of Natick. The office of the Board is located in Room 204 of the Natick Town Hall, 13 East Central Street, Natick.

3. Other terms or words shall be interpreted as defined in the applicable sections of Chapter 41 of the General Laws, Section 81-A through 81-GG.

AA. Limitation of One Dwelling on a Lot

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere in the Town, without the consent of the Board, and such consent may be conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision. (Amendment adopted June 3, 1969)

B. Plan Believed Not to Require Approval

Application for approval shall be made in writing on forms obtainable in the office of the Board as designated.

Any person who wishes to record in the Registry of Deeds or to file with the Land Court a plan of land which does not require approval under the Subdivision Control Laws, must submit his plan and application Form A, in duplicate, with the Board, accompanied by all evidence necessary to show that the plan does not require approval. Said plan shall be presented to the Board at one of its regularly scheduled meetings. Said person shall also file, by delivery or registered mail, a notice with the Town Clerk, stating the date of submission for such determination together with a copy of said application. A filing fee of \$200.00 plus \$200.00 per lot shall be paid to the Town of Natick at the time of filing the Approval Not Required Plan.

If the Board determines that the plan DOES NOT require approval under the Subdivision Control Law, it shall, without a public hearing, and within fourteen (14) days of submission, endorse on the plan the words “Planning Board Approval Under the Subdivision Control Law not Required”. Said plan shall contain the above quote with sufficient space for signatures of the Board. No plan shall be considered by the Board unless the sheet is 11” X 16”, 12” X 18”, 18” X 24”, or 24” X 36” and three (3) copies accompany the original. Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action.

If the Board determines that the plan DOES require approval under the Subdivision Control Law, it shall, within fourteen (14) days of submission of said plan, so inform the applicant and return the plan. The Board shall also notify the Town Clerk of its determination.

C. Contents of a Plan Believed Not to Require Approval

1. North point, date of survey and scale.
2. Name of record owner, and engineer or surveyor.
3. Registered Engineer’s or Land Surveyor’s Stamp.
4. Names of all abutters as determined by the Board of Assessors from the most recent Assessor’s List.
5. Existing and proposed lines of streets, ways, and easements.
6. All plans should be drawn to a scale of 1”=40’ and shall show all existing structures, bounds, brooks, fences, walls, etc.

7. Whether the street is public or private.
8. Assessors' map number and lot number.
9. Zoning classification.
10. Deed reference of record owner by Book and Page number and Land Court Certificate number if applicable.
11. Where the plan shows adjoining land owned by the applicant, the applicant shall furnish evidence, on the plan, indicating that the adjoining land has adequate frontage.
12. Any other information which the applicant considers to be valuable for the Board's determination.

D. Subdivision

No person shall make a subdivision within the meaning of the Subdivision Control Law, of any land within the Town, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted to and approved by the Planning Board as hereinafter provided.

E. Outside Consultants

1. When reviewing an application for a Definitive Subdivision Plan approval, the Board may determine that the assistance of outside consultants is warranted due to the size, scale, or complexity of a proposed project or because of a project's potential impacts. The Board may require that the applicants pay a "review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of an application. The aforementioned application review should preferably take place at an informational preliminary presentation to the Board prior to the formal filing of an application.

2. In hiring outside consultants, the Board may engage engineers, planners, lawyers, urban designers, or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, bylaws, and regulations.

The Board shall inform an applicant as to the type of consultants it desires to hire, and the amount of the review fees that will be initially required, at the time of the informational preliminary presentation to the Board, should one take place, or at the time of filing the application. Such fee shall be paid as part of the application fee. However, the Board may hire additional consultants and/or require additional review fees should it determine at anytime during the hearing that such consultants and/or additional fees are required to cover the costs which may arise as a result of review of the application before the Board. Failure of the applicant to pay such fees may result in denial of the approval sought.

3. Funds received by the Board pursuant to this section shall be deposited with the Treasurer of the Town who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only in connection with the review of a specific project or projects for which a review fee has been or will be collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the issuance of approval of a Definitive Subdivision Plan.

4. Review fees may only be spent for services rendered in connection with the specific project from which they were collected. Accrued interest may also be spent for this purpose. At the completion of the Board's review of a project, any excess amount in the account, including interest, attributable to a specific project, shall be repaid to the applicant or to the applicant's successor in interest. A final report of said account shall be made available to the applicant or to

the applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest and entitlement to repayment of such excess amount.

5. An applicant may take administrative appeal from the selection of the outside consultant to the Board of Selectmen. Such appeal must be filed within ten (10) days after the Board informs the applicant of its selection. Such appeal must be in writing, with a copy thereof filed with the Planning Board. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist either of an educational degree in , or related to, the field at issue or three or more years of practice in the field at issue or related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one (1) month following the filing of an appeal, the selection made by the Board shall stand.

F. Conditions for Approval and Limitations Governing Resale

A development plan approved by the Planning Board under the provisions of Section III-A.6 of the Zoning By-Law should have conditions added to the approval decision. Proposed conditions and a proposed program for discussion are as follows:

1. Affordable IHOP units shall be designated and shall be dispersed throughout the development. The IHOP units shall at least be equal in quality, style, construction, and cost to the average unit in the development.
2. In the event the development only provides one IHOP unit, such unit shall be made available on a preferred basis to both employees and residents of the Town of Natick, who shall be equally eligible to submit their applications for consideration as the selected purchaser.
3. In the event there are multiple IHOP units available, then the following procedure shall apply: The first IHOP unit available for sale shall be first offered to employees of the Town of Natick who qualify under the guidelines. The second affordable unit shall be first offered to residents of the Town of Natick who qualify. The third and subsequent units shall be offered sequentially in the same alternative preference arrangement to Town employees and Town residents. In the event a unit designated for either of such categories has no potential buyers from that category, then applicants from the other of such preference categories shall be first considered as purchasers before consideration shall be given to anyone in the general public who qualifies.
4. Preferences given in accordance with the foregoing shall be made available for a period of six (6) months from the date a building permit is taken out for the construction of an IHOP unit. The developer shall fund the cost of advertising the availability of such IHOP unit and advising potential purchasers how and where to apply for consideration. Advertisements shall be as required by the Planning Board in a newspaper of general circulation, and shall also be posted in the Town Hall. Only one preference shall be given to persons who are both residents and work in the Town of Natick. Natick residency status shall be given to a person who has been a resident for at least one (1) year within the previous five (5) years. Such preference shall not be given if prohibited by, or to the extent prohibited by, a federal or state agency under a financing or other subsidy program under which the dwelling unit was constructed, or under which the potential purchaser is to receive financing.
5. Applications for purchase shall be made to the Planning Board, and shall be identified by date when received. The Planning Board shall determine qualifications of potential purchasers, compliance with the terms of the By-law and with its rules and regulations. Potential candidates



shall be selected by lottery or other like procedure. After the first selected candidate is qualified, such candidate will be permitted to negotiate for the purchase of the available IHOP unit directly with the developer.

6. Once an initial purchaser negotiates a purchase arrangement, the developer shall submit the proposed purchase and sale agreement, and the proposed form of deed to be used, to the Planning Board for determination of compliance with all conditions of approval of the special permit and the terms of the Bylaw. Once approved, neither the purchase and sale agreement nor the deed may be altered without obtaining the consent of the Planning Board.

7. The developer shall submit three appraisals of fair market value, from independent appraisers approved by the Planning Board, of each unit to be sold under the IHOP program. The Planning Board shall consider these appraisals in determining the average fair market value of the unit to be sold, and the discount that the actual agreed upon selling price obtained by the initial purchaser of such unit bears to such fair market value - expressed as a percentage, (the "IHOP Discount").

8. When the owner of an affordable IHOP unit desires to sell such unit, such owner shall be required to obtain a confirming special permit from the Planning Board. No fees shall be required. Such proceeding shall be for the purpose of assuring that the provisions of the Zoning Bylaw and the conditions of the decision approving the creation of such unit are followed. At the hearing to obtain such special permit the seller shall be required to submit the proposed purchase and sale agreement to be used, the proposed form of deed, and three appraisals from independent appraisers approved by the Planning Board of the then present market value of such unit. The maximum price at which such unit may then be sold shall be the average market value then prevailing for such unit, less the IHOP discount. Notwithstanding the foregoing, the maximum resale price so calculated may not exceed the then current limits for acquiring the particular IHOP unit under any applicable state or federal financing program under which the unit is to be purchased, if it is to be so purchased. The Special Permit decision shall include a procedure to select eligible purchasers who qualify under the Bylaw as low/moderate income households.

9. On the occasion of each resale of an IHOP unit the same six (6) months preference shall be given to Town employees and Town residents as was available on the occasion of the original sale of such unit.

10. Notice of any proposed resale of an IHOP unit shall be given to the Natick Housing Authority, who shall have a right of first refusal for a period of thirty (30) days from the date of first offering for sale, to purchase such unit at the maximum resale price calculated in accordance with the foregoing.

11. Following the special permit decision granting permission for a resale, should the Natick Housing Authority not purchase such IHOP unit and should an eligible purchaser for the IHOP unit not be located within a period of one hundred twenty (120) days from the effective date of such decision, the Planning Board shall proceed to remove the resale restriction by issuing an appropriate release certificate in accordance with the procedure provided for at the end of the forty (40) year restriction period.

12. Ninety (90) days prior to the end of the forty (40) year restriction period mentioned in the original deed for an IHOP unit, the then owner of the IHOP unit (in the event such unit has not been purchased by the Natick Housing Authority) shall apply for a special permit from the Planning Board for the purpose of either: (a) requesting an extension of the restriction on resale for another forty (40) year period, or (b) removing the resale restriction by issuing an appropriate release certificate. If the subject matter of the special permit proceeding is to extend

the resale restriction, the applicant shall not be required to pay any fees and shall propose documents for approval by the Planning Board to accomplish such purpose. If the subject matter of the special permit proceeding is to remove the resale restriction, then the Planning Board shall determine the value of the IHOP discount then prevailing in the manner indicated above. In order to enable it to do so, the owner shall provide the Planning Board with three appraisals of market value from independent appraisers approved by the Board. Any resale certificate issued in accordance with a special permit decision shall provide for payment by the then owner of the IHOP unit of the dollar value representing the IHOP discount. The Planning Board may require payment in cash should refinancing be possible. It may alternatively accept a note secured by a mortgage for such amount, or it may make any other arrangement which secures for the Town the monetary value representing the then IHOP discount. The money so obtained by the Planning Board for the Town shall be applied by the Board for the purpose of increasing the supply of affordable housing available in the Town in accordance with the intent and purposes of Section III-A.6.

13. In the event that a holder of a mortgage on the IHOP unit conducts a foreclosure or other proceeding enforcing its rights under the mortgage and the IHOP unit is sold for a price in excess of the greater of: (1) the sum of the outstanding principal balance of the note secured by such mortgage plus all future advances, accrued interest and all reasonable costs and expenses which the holder is entitled to recover pursuant to the terms of the mortgage, and (2) the maximum permitted resale price to low/moderate income households applicable on the date of the foreclosure sale (which shall be determined by the Planning Board in the manner as indicated above in connection with the removal of the restriction on resale); such excess shall be paid to the Planning Board. The money so paid to the Planning Board for the Town shall be applied by the Board for the purpose of increasing the supply of affordable housing available in the Town.

#### G. Conditions of Deed

The form of deed to be used for the initial sale of each affordable IHOP unit shall contain the following provision, as special provisions:

1. The deed shall make reference to the special permit decision of the Planning Board that permitted the creation of the IHOP unit, and that decision shall be recorded.
2. The IHOP unit shall only be occupied and used as a single-family residential unit. No business, except permitted home occupations, shall be conducted from such unit. The IHOP unit shall not be used for rentals.
3. A forty (40) year restriction (from date of first sale) on the resale of such IHOP unit providing that such IHOP unit shall be available for repurchase during such period only by those who qualify under the terms of the special permit issued by the Planning Board on the occasion of the first sale.
4. Resales of such IHOP unit during the forty (40) year restriction period shall be made only under a special permit to be obtained from the Planning Board authorizing each such subsequent sale. The purpose of such proceeding shall be for the Planning Board to authorize the procedure to be followed to obtain a qualified purchaser and to determine, from evidence that is submitted by the reseller, whether compliance with the provisions of the IHOP Bylaw and the conditions in the Planning Board decision authorizing the prior sale, have been met.
5. Sale of any IHOP unit subsequent to the end of the forty (40) year period, or sale as a market rate unit at any time permitted, shall be in accordance with the Rules and Regulations of the Natick Planning Board adopted from time to time.

### SECTION III. PROCEDURE FOR THE SUBMISSION OF PLANS REQUIRING BOARD APPROVAL

#### A. Preliminary Plan

##### 1. General

A Preliminary Plan of a subdivision shall be submitted by the sub-divider for discussion prior to formal application. The submission of a Preliminary Plan will enable the sub-divider, the Board, and other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared.

The proposed form of advertisement to be used to advertise the public hearing on the Definitive Plan should be supplied to the Board with the Preliminary Plan. A filing fee of \$500.00 plus \$100.00 per lot shall be paid to the Town of Natick at the time of filing the Preliminary Plan. Such filing fee may be credited toward the cost of the Definitive Plan filing fee if the definitive is filed within seven (7) months.

##### 2. Contents

The Preliminary Plan shall be drawn by a Registered Professional Engineer and Land Surveyor, on tracing paper with pencil at a scale of 1"=40'. Eight contact prints, together with a properly executed application Form B, (see Appendix) shall be filed at the office of the Board. The applicant shall then file by delivery or registered mail a notice with the Town Clerk stating the date of submission of said plan, together with a copy of Form B.

The Preliminary Plan shall include:

- (a) Title shall read "Preliminary Plan of Land in Natick, MA"
- (b) Descriptive name of subdivision, north point, date, and scale
- (c) Name and address of record owner, sub-divider, engineer, and surveyor
- (d) Names of all abutters as determined by the Board of Assessors from the most recent local Assessors' List
- (e) Location, names and present widths of adjacent streets with designation as to whether public or private as appearing on the records of the Public Works department
- (f) Zoning classification
- (g) Title reference, date of deed, and Book and Page number and Land Court Certificate number where applicable
- (h) Proposed roads with the proposed layout of storm drainage, easements thereto, including easements for channel brooks and easements of record by prescriptive rights.
- (i) Dimensions and areas of lot numbers, and the layout of the proposed roads, water, sewer, and drainage system and easements to adjoining property.
- (j) Major site features, such as existing stone walls, fences, buildings, large trees (12" or over), rock bridges and outcroppings, swamps and water bodies
- (k) A profile of all proposed streets, ways, roads, drains and sewers, together with a cross section of any open channel streams and other information as the Board shall deem necessary and essential, shall be included
- (l) Profiles shall be drawn to a scale (Horiz. 1"=40' and vert. 1"=4') showing existing center line grade, existing right sideline grade with the legend shown below drafted on the plan

Existing center line \_\_\_\_\_  
Existing L-Left sideline \_\_\_\_\_  
Existing R-Right sideline \_\_\_\_\_  
Proposed center line \_\_\_\_\_

(m) Existing and proposed 2' contour intervals shall be submitted with the Preliminary Plan

### 3. Approval

Within sixty (60) days after submission of a Preliminary Plan, each Board shall approve such Preliminary Plan with or without modifications suggested by it or agreed upon by the person submitting the plan or shall disapprove such Preliminary Plan, and in the case of disapproval shall state its reasons therefore. Such approval does not constitute approval of a subdivision, but does facilitate the procedure in securing final approval of the Definitive Plan.

### 4. Adjacent Land

Where the owner or sub-divider also owns or controls unsub-divided land adjacent to that shown on the Preliminary Plan, the applicant shall submit a sketch plan showing a feasible future street layout for such adjacent land. The sketch may be submitted separately from the Preliminary Plan.

## B. Definitive Plan

### 1. General

Any person who submits a Definitive Plan of a subdivision to the Board for approval shall file with the Board the following:

- (a) An original of all plans and profiles, drawn with waterproof ink on tracing cloth and eight (8) contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval
- (b) Properly executed Form C and dedication of public areas, (see Appendix)
- (c) A filing fee of \$2,000.00 plus \$200.00 per lot shall accompany said plans and be made payable to the Town of Natick. After delivery of the plan and the above forms to the Board, the applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission of said plans for approval, together with a copy of Form C. He shall also file a copy of the plans as submitted

### 2. Contents

The Definitive Plans and profiles shall be prepared by a Registered Professional Engineer and Registered Land Surveyor, and shall be clearly and legibly drawn in black India Ink on tracing cloth. The plan shall be a scale of 1"=40' and sheet sizes conforming to one of the following sizes: 18"X24" or 24"X36" with a title block as shown in the Appendix of these Rules and Regulations in the lower right hand corner. A margin of 3/4" shall be allowed. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. Profiles shall have two (2) references to permanent bench marks on town datum, and shall be indicated and described on the plans and profiles. The Definitive Plan shall contain the following information:

- (a) Subdivision name, boundaries, north point, date, scale, legend, proposed names of streets (in pencil), zoning classification, and deed references of record owners by Book and Page number and Land Court Certificate number if applicable.

- (b) Name and address of record owner, sub-divider, engineer, and surveyor.
- (c) Names of all abutters, as determined by the Board of Assessors from the most recent Assessors' List.
- (d) Existing and proposed lines of streets, ways, lots, easements of record and prescriptive rights, and public or common areas within or abutting the subdivision.
- (e) Sufficient data to determine the location, direction and length of every street and way line, lot line, and boundary line, and to establish these lines on the ground. Lot lines and street lines must be indicated by bearings to the nearest second, and distances to the nearest 1/100 of a foot.
- (f) All lots or other divisions of land are to be designated numerically and in sequence, which shall conform to any previous plan recorded with the Registry of Deeds or the Land Court.
- (g) Registered Professional Engineer's and Land Surveyor's stamp.
- (h) The plans for each project must give information sufficient for the Board to accurately locate proposed streets as well as their accurate connection with other existing streets in the vicinity.
- (i) The plans must show the length and direction of streets and boundary lines, the length of radii, tangents, and angle of all curves, together with the widths of streets and ways.
- (j) Center line of proposed streets on accurate stations.
- (k) The Board shall require a general plot plan to a suitable scale showing the relation of the proposed subdivision to adjoining property within a radius of 1/4 mile or to the nearest existing streets on all sides.
- (l) Lots on the Definitive Plan shall be numbered the same as on the Preliminary Plan insofar as possible.
- (m) The location of all permanent monuments properly identified as to whether existing or proposed.
- (n) Proposed layout of storm drainage, water supply, and sewer systems, their appurtenances and all easements thereto.
- (o) Suitable space to record the signatures of the Planning Board, Board of Health, Public Works Department, and the Director of Public Works on both plans and profiles. If the subdivision adjoins or commences from an accepted public way or private way, it shall be so designated on the plan with the date accepted, if a public way, or other pertinent information as the Planning Board shall request for proper identification to said Board.
- (p) The fire alarm system, as required under Section VI-H shall be shown on the plans.
- (q) A Locus Map showing the proposed subdivision, scale 1"=1000', shall be shown on the lower left hand corner of the plan. If the plan is on multiple sheets the Locus Map shall be shown on the key map.
- (r) All Profile Plans shall contain the following:

- (1) Plan of road layout and profile on same sheet.
- (2) A horizontal scale of 1"=40'.
- (3) A vertical scale of 1"=4'
- (4) Existing center line in fine black solid line.
- (5) Existing right side line in fine black long dash line.
- (6) Existing left side line in fine black short dash line.
- (7) Proposed center line grade in heavy red line. Proposed grade elevation at every 50' station, and every 25' station on vertical curves.
- (8) Legend as shown in Preliminary Plan. Section III 2-L.
- (9) All existing intersecting walks and driveways on both sides of proposed streets shall be shown on the plans.
- (10) Location and elevations of two (2) permanent bench marks referred to town datum, to be furnished by the Natick Department of Public Works and so shown on profile.
- (11) Rates of gradient of proposed center line grade and all drain and sewer pipes shown by figures.
- (12) Size and location of existing and proposed surface drains and their appurtenances with elevations of rims and inverts at all manholes and catch basins.
- (13) Size and location of existing and proposed sewer lines and their appurtenances with elevations of rims and inverts at all manholes.
- (14) Sewer and drainage lines are to be related accurately to center line stationing.

### 3. Review by Board of Health as to Suitability of the Land

When a Definitive Plan of a subdivision is submitted to the Planning Board, a copy thereof shall also be filed with the Board of Health or Board or Officer having like powers and duties. Such Health Board or Officer shall, within forty-five (45) days after the plan is so filed, report to the Planning Board in writing, approval or disapproval of said plan, and in the event of disapproval shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefore in such report, and, where possible, shall make recommendations for the adjustment thereof. Any approval of the plan by the Planning Board shall then be given on condition that the lots of land as to which such doubt exists shall not be built upon without prior consent of the Board of Health, and shall endorse on the plan such conditions specifying the lots of land to which such condition applies.

### 4. Performance Guarantee (Alternate Methods)

#### (a) Final Approval with Bonds or Surety

Before approval of a Definitive Plan of a subdivision, the sub-divider shall either file a performance bond or deposit money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements specified in Section V and VI or follow the procedure outlined in "b" below. Such bond or security, if filed or deposited shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Town Treasurer. As part of the Performance Bond, the developer agrees that he will complete either in the portion of the development in which structures are occupied or the development as a whole, all improvements required in Section V & VI and remove all materials and rubbish from the subdivision and leave the subdivision free from hazardous and/or unattractive slopes, excavations, and piles of material within six (6) months of the date of occupancy of any structure within that area. The developer further agrees that he will complete all improvements described above within twenty-four (24) months of the start of construction if a Performance Bond is not filed when construction starts or within twenty-four (24) months of the filing of a

Performance Bond if such a Bond is filed at the start of construction. The developer further agrees that no structure will be occupied until at least the base course of the bituminous concrete as specified in Section V has been applied to the streets which serve those structures. No extensions of these limitations shall be granted without the approval of the Planning Board.

Prior to releasing the check or bond, the Planning Board shall determine to its satisfaction that the sub-divider submit to the Board the following:

- (1) Written evidence from the Public Works Department that the streets and drainage conform to the Planning Board requirements in accordance with the approved Definitive Plan.
- (2) Written evidence from a majority of the Natick Board of Public Works Commissioners that the mains and hydrants conform to their specifications and the Planning Board requirements in accordance with the approved Definitive Plan.
- (3) A letter from the Chief Engineer to be obtained by the sub-divider, that all markers, bounds, or monuments on street lines and lot lines, are in place and properly located in accordance with the approved Definitive Plan and as certified by the engineer or surveyor. (see Section VI-A)
- (4) Written evidence from the Chief of the Fire Department that the fire alarm system conforms to the specifications and the Planning Board requirements in accordance with the approved Definitive Plan.
- (5) Written evidence from the Tree Warden that the Regulation as set forth in Section VI-E pertaining to his Department has been complied with.

(b) Final Approval with Conditions

Instead of filing a bond or depositing security, the sub-divider may request approval of his Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected thereon until the improvements specified in Section V & VI are constructed and installed so as to serve the lots adequately. Such conditions shall be endorsed upon the plan and contained in a separate covenant which shall be referred to on the plan and recorded in the Registry of Deeds. When the sub-divider has completed the required improvements specified in Sections V & VI for any lots in a subdivision, he may request a Release of Conditions for said lots. If improvements have been completed to the satisfaction of the Board, the Board will execute and deliver to the sub-divider such Release, which shall be in form for recording in the Registry of Deeds. Thereafter the conditions relating to such lots and so released shall terminate.

(c) Final Cleaning Up

Upon completion of the work, the sub-divider shall remove from the highway and adjoining property, all temporary structures and surplus material and rubbish which may be accumulated during the prosecution of the work, and shall leave the work in a neat and orderly condition.

5. Filing of Plans in Registry of Deeds or Land Court

Approval of all subdivisions is subject to condition that, unless an appeal has been taken from such approval as provided by Statute, the sub-divider will record the subdivision plan in the

Middlesex County Registry of Deeds at Cambridge or the Land Court within six months from the date of approval and certify to the Board, in writing, within six months from the date of approval that said plan has been recorded and filed with the Registry of Deeds at Cambridge or the Land Court giving date of recording, plan number, Book and Page number or Certificate number, and Land Court Plan number.

Any plan not recorded within six months from the date of its approval, may have endorsed thereon, or recorded therewith, and referred to thereon, a certificate of the Planning Board or Town Clerk, dated within thirty (30) days of the recording, that the approval has not been modified, amended or rescinded, nor the plan changed. Such certificate shall, upon application, be made by the Board or by the Clerk unless the records of the Board or Clerk receiving the application show that there has been such modification, amendment, rescission or change.

6. Compliance with the Zoning By-Law of the Town of Natick

All plans shall also comply with the Zoning By-Laws of the Town in all respects in addition to the provisions of the Subdivision Control Law.

7. Conveyance of Streets, Utilities, and Easements to the Town

(a) Before the Board will release a surety bond or deposit, or in the case of conditional approval, issue a certificate of performance, the applicant shall execute an instrument in proper legal form transferring to the Town, without cost, valid title to all streets and public ways, sewers and water mains and appurtenances thereto, constructed and installed in the subdivision or portion thereof to be approved, and conveying to the Town without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain sewers, water mains, storm drains, including open channel brooks, pipes, conduits and other appurtenances, and to do all acts incidental thereto, in, through and under the whole of all streets in the subdivision or portion thereof to be approved, and if any such sewer or water mains have been constructed and installed in land not within such streets, then in, through and under a strip of land at least 20' wide and the water, sewer and/or drain lines shall be placed in this easement as instructed by the Director of Public Works and Board of Public Works but shall be located so that any future excavation will not disturb any land beyond the easement.

(b) To facilitate the above described transfers, the developer shall retain the fee (ownership) in all streets, ways and other land to be transferred to the Town during the development of and sale of or other encumbrances of any lot in the development. The developer shall also make certain that all required easements are properly recorded on each and every lot on which an easement is to be placed.

8. Public Hearing

Before approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board at the expense of the applicant, in a newspaper of general circulation in the Town of Natick, once in each of two (2) consecutive weeks. The first publication being not less than fourteen (14) days before the hearing. A copy of said notice shall be mailed by the sub-divider to all the owners of land abutting upon the subdivision as appearing in the most recent Assessors' List. Such notices shall be sent by registered mail, return receipt requested, at least ten (10) days prior to the public hearing and documentary proof of such mailing shall be submitted to the Board. Notices shall be sent to all abutters and the following Town departments:



Town Clerk  
Assessors  
Building Inspector  
Fire Chief  
Planning Board  
Police Department

Recreation & Human Services  
Chairman of the School Committee  
Department of Public Works  
Board of Health  
Selectmen  
Conservation Commission

#### 9. Certificate of Approval

The action of the Board in respect to such plan shall be by vote, copies of which shall be sent, certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant. If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawings of the Definitive Plan by the signatures of a majority of the Board, but not until the statutory twenty (20) day appeal period has elapsed, following the filing of the certificate of the action of the Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with eight (8) prints thereof at the expense of such applicant or subdivider.

The acceptance of a plan by the Planning Board does not make any street shown a public way. Existing laws of the Commonwealth of Massachusetts and By-Laws of the Town of Natick must be complied with for the acceptance of any street.

### SECTION IV. DESIGN STANDARDS

#### A. Streets and Roadways

##### 1. Location and Alignment

- (a) All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safer vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- (b) The proposed streets shall conform to the Master or Study Plan as adopted in whole or in part by the Board.
- (c) Street jogs with center line offsets of less than two hundred (200) feet shall be avoided.
- (d) The minimum center line radii of curved streets shall be one hundred and twenty five (125) feet. Greater radii may be required for principal streets.
- (e) Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty (60) degrees.
- (f) Property lines at street intersections shall be rounded or cut back to provide for a curve radius of not less than twenty-five (25) feet.
- (g) Grades of all streets shall not be less than 0.70% more than 6.00% for principal streets, or more than 7.00% for minor streets.
- (h) Dead-end streets shall not be longer than five hundred (500) feet or less than two hundred (200) feet, unless in the opinion of the Board, a greater length is necessitated by topography or other local conditions not related to cost of construction of the development

as a whole. The length of the cul de sac shall be measured from the sideline of the intersecting street to the end of the layout that the furthest point of the proposed street.

Public Hearing – April 18, 2001,  
Approved April 18, 2001 by unanimous vote (5-0)

(i) Dead-end streets shall be provided at the closed end with a turnaround having an outside roadway diameter of at least one hundred six (106) feet, and a property line diameter of at least one hundred twenty (120) feet.

(j) If any street submitted for approval does not extend through to another street, possible extension must be shown to the nearest proposed or constructed street.

(k) Unless special conditions exist, all streets shall have a layout width of 50'. All streets determined to be major streets by the Planning Board shall have a layout width of 60'.

(l) The Board, in general, will not approve plans having so-called reservation strips which would permit further extension of developments, except in cases deemed by the Board to be beneficial to the Town.

#### B. Easements

1. Easements for utilities across lots or centered on rear lot lines or side lines shall be provided where necessary and shall be at least twenty (20) feet wide. All easements on plan will be labeled "Town of Natick Utility Easements".

2. Signed copies of easements and agreements affecting land not within the subdivision, but necessary for provision of utilities, shall be submitted to the Board before approval of a plan.

3. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a storm water easement or drainage right of way of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, and to provide its construction.

#### C. Open Space

Before approval of a plan the Planning Board may also, in proper cases, require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Planning Board may by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years.

#### D. Natural Features

Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historical spots, and similar community assets, which, if preserved, will add attractiveness and value to the Town.

### SECTION V. SPECIFICATION FOR CONSTRUCTION OF STREETS, SEWER, DRAIN, AND WATER PIPES.

#### A. General

1. All street, sewer, and drain construction and all materials used for same shall conform to all requirements of the Town of Natick and shall be subject to the inspection and final approval of the Chief Engineer and/or the Board of Public Works of the Town of Natick.

2. Clearing of street locations and major changes in the grading of the land and streets brought to rough grades shall be completed before installation of services and finished streets are begun.

#### B. Drainage

Storm drains, culverts, and related installations, including catch basins, gutters, and manholes, shall be installed as necessary to provide adequate disposal of surface water from all streets within the subdivision and adjacent land as shown on plan. Proper connection shall be made with any existing drains in adjacent streets or easements. Where property adjacent to the subdivision is not subdivided, provisions shall be made for the proper projection of the drainage system by continuing appropriate drains to the exterior boundaries of the subdivision at such size and grade will allow for such projection.

In no case shall pipe of less than twelve (12) inch diameter be used for storm drainage and it shall be larger when deemed necessary by the Planning Board. The sub-divider shall show the size and location of existing storm drain facilities that the proposed new subdivision will tie into and shall plot these on the Preliminary and Definitive Plans submitted to the Planning Board for approval. When required, complete run-off computations for designing pipe sizes will be submitted. These computations will be based on the Burkli-Zeigler or Rational formula and will be based on a storm frequency of fifteen (15) years.

##### 1. Pipe Culverts and Drains

Pipe for the construction of culverts and drains shall not be less than twelve (12) inches in diameter and shall be either Cement Concrete or Reinforced Concrete. All pipe shall be laid true to line and grade as shown on plans. Each section of pipe shall have a full firm bearing throughout its length. All joints shall be made of Portland Cement Mortar and jute. All pipe shall have at least two feet, six inches (2'6") of cover above the top of the pipe and Reinforced Concrete Pipe shall be used wherever the cover is less than three feet, six inches (3'6").

##### 2. Catch Basins and Manholes

Catch Basins and Manholes shall be built to the lines, grades dimensions, and designs shown on the plans and as directed, with the necessary approved frames, grating, and covers, and shall be constructed of clay brick masonry, concrete brick masonry, or solid concrete block masonry and shall not be less than four (4) feet in diameter at a point two and one half (2 1/2) feet below the bottom of the frame. Catch basins shall be placed on the street so that the greatest distance water will have to flow over the surface shall not be over three hundred (300) feet. Catch Basins shall not be less than three (3) feet in depth, measuring from the invert on the outlet pipe. Brick masonry inverts shall be constructed for all manholes, and Catch Basins shall have concrete bottoms. Manholes are required at all points in the main drains where there is a change of grade or a change in line, also at all points where feeder pipes enter the main drain.

##### 3. Concrete Head Walls

Concrete head walls shall be constructed at the open ends of any drain pipe where the same serve as outlets to the drainage system. These head walls shall be of the shape and size directed by the Chief Engineer or his designate. If brooks or tributary ditches are left open within the

developments, they shall be shaped to a cross section and gradient acceptable to the Chief Engineer.

C. Lot Drainage

Lot drainage shall be as required and specified by the Board of Health.

D. Sewer and Water Construction

Sewer pipes and related appurtenances, such as manholes and connecting Y's shall be constructed in conformity with specifications of the Natick Department of Public Works.

Water pipes and related equipment, such as hydrants and main shut-off valves shall be constructed to serve all lots on each street in the subdivision, whether or not there is a building thereon in conformity with the regulations of the Water Division of the Natick Department of Public Works. All water mains are to be eight (8) inches in diameter or larger and to be cement lined, class 150 cast iron.

The sub-divider shall protect all utilities and appurtenances installed under these rules and regulations from any and all damages until the entire subdivision is completed and the streets accepted by Town Meeting action. Any damages to these utilities and appurtenances, prior to the acceptance of the street, shall be repaired in a manner satisfactory to the Department of Public Works. All material used must meet the Town's standards.

Proper connections shall be made with the existing public water system. Where adjacent property is not subdivided, provision shall be made for proper projections of the systems by continuing appropriate sewer and water mains to the exterior boundaries of the subdivision at such size and grade as will allow for the projections.

Sewer and water shall be laid to the satisfaction of the Natick Department of Public Works and the Chief Engineer and the installation and methods of construction and quality of materials used shall conform to the specifications of these above mentioned Departments.

E. Street Construction

1. Clearing:

The entire area of each street or way shall be cleared and cleaned of all stumps, brush, roots, boulders, like material and all trees not intended for preservation.

2. Excavation:

All loam and other yielding material shall be removed or stripped from the roadway area to a depth of four (4) feet below the finished sub-grade, and/or to a depth that may be required over the aforementioned and replaced with a suitable material. No soft or inferior material shall be used below sub-grade. The sub-grade shall be shaped to a true surface conforming to the proposed cross-section of the road and thoroughly compacted before applying the gravel.

3. Gravel Base:

Prior to placing any gravel on the sub-grade, due notice must be given to the Engineering Division of the Department of Public Works to provide for inspection of the sub-grade and the gravel to be used. Grade stakes on both sides of the street and every fifty (50) feet must be placed and marked by competent engineers prior to the above notification. Gravel for base shall

be spread in two six (6) inch layers to a total depth of twelve (12) inches; each layer so placed shall be thoroughly watered and rolled true to lines and grades, with a roller weighing not less than twelve (12) tons. Any depressions that appear during or after the rolling shall be filled with gravel and be re-rolled until the surface is true and even. The completed gravel base shall be treated for the full width with one application of T-4, ½ gallon per square yard, or Asphalt of equal grade, and covered with sand evenly distributed. The road will be subjected to the action of traffic for thirty (30) days, or less at the discretion of the Chief Engineer, before the bituminous concrete is laid.

#### 4. Bituminous Concrete Pavement:

A Type I wearing surface shall be placed in two layers. An approved mechanical spreader shall be used. A binder course will be spread in a layer to be one and one-fourth (1 ¼) inches thick after rolling. Rolling by a tandem roller will continue until compaction is complete. The roller shall weigh not less than two hundred and eighty-five (285) pounds per inch of wheel width. A plate shall be attached to the roller which shall list the loaded weight per inch of tread. After the binder course is completed, all castings, water and gas gates, etc., shall be raised to a height of one and one-fourth (1 ¼) inches above the binder course.

Care must be taken that these castings conform to the plane of the finished street at their location. All excavation due to the setting of these castings shall be back filled with Portland Cement concrete of a 1-2-4 mix. This concrete shall have at least twenty-four (24) hours to set before the top course of bituminous concrete is applied to the street. The Type I top shall then be applied to a depth that will be one and one-fourth (1 ¼) inches after compaction, and rolled until compaction is completed to the satisfaction of the Engineer. Care shall be taken that the joints do not show. At the discretion of the Chief Engineer, if a significant time interval occurs between the successive passes of the paving machine, the contractor must use a joint heater to insure a better bond. No paving will be done after November 15. On days before November 15, the temperature of the day must be forty (40) degrees and rising before bituminous concrete mixture (Type I) can be applied.

#### 5. Ledge

Ledge occurring anywhere in the full cross section of the Roadway must be cleared to a minimum depth of fifteen (15) inches below the finished surface. Ledge occurring in pipe trenches must be cleared so as to have a gravel cushion of at least one (1) foot below and on both sides of the pipe.

#### F. Sidewalks

The sub-base shall be at least twelve (12) inches of sharp gravel after being thoroughly compacted. Bituminous concrete shall be laid in two courses, namely base course and top course. Base course shall consist of a Type I binder and shall be one and one fourth (1 ¼) inches thick after rolling. Top course shall consist of a Type I rice and shall be one and one fourth (1 ¼) inches thick after rolling. In no case shall the surface be aid until the sub-base has been inspected and approved.

At all intersections of the sidewalks shall be constructed across the berm to the edge of the traveled way.

#### G. Curbing

##### 1. Granite

All curves at street intersections and all curves having a radius not greater than one hundred and twenty-five (125) feet shall have the gutter line curbed with new granite curbing. Curved curbing is to extend from the point of curvature to the point of tangency. A straight piece of granite curb six (6) feet long is to be placed at both ends of all such curves.

The type of curbing will be uniform on opposite sides of the street and the curve of lesser radius will determine the type of curbing to be used. Granite curbing will conform to State Specification VA-4.

The trench for setting the curb shall be excavated so that it shall be eighteen (18) inches wide and its sub-grade at least twenty-four (24) inches below the finished curbing grade. Upon this sub-grade a foundation is to be made consisting of clean coarse gravel thoroughly rammed so that it will be at least six (6) inches when compacted. Upon this foundation the curbing is to be laid, the joints made as close as possible and all spaces under the curb filled with gravel and tamped so that the curbing will bear throughout its entire length and be at the line and grade required.

The trench on each side of the curbing is then to be filled to the sub-grade of the roadway and the sidewalk respectively with clean coarse gravel laid in four (4) inch layers, each layer thoroughly rammed and tamped under and around the curbing and the joints carefully pointed up, front and back with mortar made of equal parts of Portland cement and clean sharp sand. Clean gravel is then to be rammed against and up to a point six (6) inches below the top of the curbing on the sidewalk side.

Standard granite curb inlets shall be installed at the back gutter lines of all catch-basins.

## 2. Asphalt

All other gutters not curbed with granite will be curbed with bituminous concrete curbing, laid with an extruding machine. The shape of the extruded curb is to be approved by the Chief Engineer prior to the start of curbing work. The contractor must protect the new work until the asphalt has taken its permanent set.

Any damaged curb must be removed and replaced prior to the acceptance of the Development.

## SECTION VI. REQUIRED IMPROVEMENTS

### A. Stone Monuments

Granite bounds 6" X 6" X 14" with a 3/8 inch drill hole in the center are to be furnished and set on both sidelines at all points of changes of direction, points of curvature, and points of tangency. They shall also be set at the intersection of the sidelines of existing streets. They shall be set to the satisfaction of the Chief Engineer or his designate. The developer shall excavate a hole sufficiently large to properly place these bounds and thoroughly tamp around them sufficient excavated material to hold them securely in position. If the excavated material is not satisfactory for backfill, in the opinion of the Chief Engineer or his designate, then said holes shall be filled with gravel.

The location and the date the bounds were set shall be shown on a print of the subdivision plans, and shall be certified in writing, as to location, by a Registered Engineer or Land Surveyor. This certification and plan shall be submitted to the Chief Engineer before the release of bond or restriction.

B. Sidewalks

Sidewalks of not less than four feet six inches (4'6") in width shall be constructed on both sides of the street in conformity with specifications of the Natick Public Works Department.

C. Driveway Entrances

The apron shall be constructed in the same manner as sidewalks and the grade shall be approved by the Chief Engineer or his designate. In no case shall the surface be laid until the sub-base shall have been inspected and approved.

D. Grass Plots

All areas between the exterior street lines thereon which are not occupied by approved sidewalks shall be rolled, loamed and seeded in accordance with the standard specifications of the Department of Public Works.

Where the final grade of the exterior street lines is above or below the grade of the adjacent land, walls and/or slopes shall be constructed sufficient, in the opinion of the Chief Engineer, to support the street or adjacent land as the case may be and such construction shall be in accordance with the specifications of the Department of Public Works.

E. Street Shade Trees

Whenever feasible, shade trees twelve (12) inches in diameter or larger shall not be removed. Where, in the opinion of the Planning Board, existing woodlands or suitable individual trees are not retained, at least two trees, two (2) inches in diameter or larger, or a special approved by the Tree Warden, shall be planted on each lot in the subdivision. Trees should be placed five (5) feet from the property street lines.

F. Access Strips

Access Strips shall be considered as a part of the street layout of the subdivision and must comply with the rules and regulations of the subdivision control law.

G. Street Signs

Street signs of a design acceptable to the Chief Engineer shall be installed at each entrance; also any signs such as "Go Slow Children", "Stop", etc. or any other signs as deemed necessary by the Safety Committee.

Such signs shall be installed within thirty (30) days of application of the finished street surface. Temporary street signs shall be installed at the start of foundation construction.

H. Fire Alarm System

A Fire Alarm System shall be installed within the limits of the subdivision as specified by the Board of Fire Underwriters and the Natick Fire Chief.

I. Underground Utilities

All utilities will be installed underground. The sub-divider shall install all appurtenances (including street lighting) required under these Rules and Regulations and shall protect all utilities and appurtenances installed from any and all damages, until the entire subdivision is

completed and approved as a whole by the Planning Board. Any damage to these utilities and appurtenances, prior to the approval by the Planning Board shall be repaired in a manner satisfactory to the Planning Board and Department of Public Works, the full cost of which shall be borne by the sub-divider.

J. Landscaping Requirements in Commercial Areas

The following regulations are intended to implement the General Purpose and Intent, as well as the Objectives of the landscaping requirements of the Highway Overlay Districts. In addition, these rules and regulations are to be applied in all instances where commercial or industrial uses require good landscaping practices. The following provisions set forth a preferred form of arrangement of plantings.

1. Plantings In Buffer Strips Along Street Frontages

(a) At least one (1) tree shall be provided per twenty seven (27) linear feet of street frontage or portion thereof. There shall be a minimum of three (3) trees in the entire buffer strip. Trees may be evenly spaced or grouped. Groups of trees shall be spaced no further apart than fifty (50) feet.

(b) At least four (4) shrubs shall be provided per one hundred (100) square feet of landscaped area in the buffer strip.

2. Opaque Screens

An opaque screen may be comprised of walls, fences, berms, shrubs or evergreen plantings or any combination thereof. Opaque screens shall be opaque in all seasons of the year. Opaque screens shall be required for developments adjoining or facing residential districts or residential uses, or when necessary for public safety or to prevent adverse impacts on neighboring properties.

(a) The screen shall be opaque from the ground to a height of between three (3) to six (6) feet when planted or installed.

(b) Walls or fences exceeding four and one-half (4 ½) feet in height shall have plantings on the side facing the residential district, and may be required to have plantings on both sides.

(c) Evergreen trees or shrubs shall be spaced not more than five (5) feet on center.

(d) Ornamental or shade trees may be required in addition to an opaque screen, depending upon the type, size and proximity of adjoining residential uses.

3. Landscaping Within Off-Street Parking Areas

The following provisions set forth a preferred form of arrangement of landscaping within parking areas. Parking areas shall be broken into sections which shall be separated by landscaped buffers to provide visual relief. The buffers shall consist of a combination of divider islands and terminal islands.

A. Parking area sections shall not exceed one hundred forty (140) cars per section.

(b) Each landscaped island shall have a minimum area of one hundred fifty (150) square feet and shall consist of pervious landscaping. Curbing, at least five (5) inches in height, shall surround each landscaped island as protection from vehicles. No tree shall be planted so that its trunk is less than four (4) feet from the curbing.

(c) The following additional design standards apply to divider islands:

(1) At least one landscaped divider island shall be provided for every four (4) parallel rows of parking.



- (2) Trees shall be spaced not more than twenty-seven (27) feet on center.
  - (3) At least one (1) shrub shall be provided for every five (5) linear feet, or one (1) shrub per thirty-five (35) square feet of ground area, whichever results in a greater number of shrubs.
  - (d) Terminal islands shall separate groups of parking spaces in a row, such that no group of adjoining spaces contains more than twenty-five (25) parking spaces.
  - (e) As an alternative to separating groups of parking spaces with small internal terminal islands, additional landscaped area may be provided. Such additional landscaped area shall be provided as additional depth in the buffer strip (above the minimum depth otherwise required in these regulations) or as additional internal landscaped area within the parking area, and shall be provided at a ratio of at least 1.2:1.0 – that is for every square foot of internal landscaped cross-island eliminated, an additional 1.2 square feet of landscaped area shall be provided elsewhere as additional buffer strip area or internal landscaping.
  - (f) Terminal islands at the ends of rows of parking spaces shall contain at least two (2) trees.
  - (g) Landscaped terminal islands shall contain evergreen shrubs planted three (3) feet or less on center, in order to prevent damage due to pedestrian traffic.
  - (h) Grass or ground cover may be substituted for shrubs in divider islands and terminal islands with the approval of the Planning Board.
  - (i) Increase of impervious areas: Notwithstanding the limitation on paved areas set forth elsewhere in these regulations, a landscaped island may contain up to thirty-three per cent (33%) impervious surface, provided that all such area is used for pedestrian walkways and that such walkways area is adequately buffered from the parking area.
4. Standards for Plant Materials
- (a) All trees, shrubs and hedges must be species that are hardy in Plant Hardiness Zone 5 as defined by the American Standards for Nursery Stock and shall be resistant to salt spray and urban conditions where appropriate.
  - (b) Plantings shall be selected and designed so as not to require high water use for maintenance.
  - (c) Deciduous trees must be at least two and one-half (2 ½) to three (3) inches caliper, six (6) inches above the top of the root ball, at the time of planting; and must be expected to reach a height of at least twenty (20) feet within ten (10) years, when considering the species to be planted, and the expected normal growth patterns to be experienced.
  - (d) Evergreen trees must be at least eight (8) feet in height at the time of planting and deciduous trees must be at least eight (8) to ten (10) feet in height at the time of planting.
  - (e) Shrubs and hedges must be at least three and one-half (3 ½) feet in height or have a spread of at least twenty-four (24) inches at the time of planting.

#### 5. Pedestrian Walkways

Pedestrian walkways shall be at least six (6) feet in width.

#### 6. Street Lights

Street lights shall be required in each subdivision. Each light shall consist of the Edison No. 21 base, Edison concrete lamp post No 26, Edison 6 ft. No 25 bracket and a high pressure sodium vapor 2150 lamp with a cutoff fixture, or an approved equivalent.

Public Hearing – August 17, 1994, continued to September 17, 1994  
 Approved September 17, 1994 by unanimous vote. (5-0)

### SECTION VII. WORK NOTIFICATION TO TOWN DEPARTMENTS

A. Work Notification

The Natick Fire Department shall be notified in writing at least three (3) days prior to the commencement of the installation of the Fire Alarm System. The Natick Department of Public Works must be notified, in writing, at least three (3) days prior to the commencement of any of the following work:

1. Installation of drainage facilities
2. Installation of water and sewer facilities
3. Application of material for sub-base
4. Application of gravel in or above sub-base
5. Application of gravel in sidewalks
6. Installation of curbing
7. Application of bituminous concrete
8. Application of loam for berm
9. Removal or application of material for slopes
10. Installation of oil or other binding materials
11. Installation of bounds

B. Request for Acceptance of Streets

Upon completion of the development, the request for the acceptance of streets and their appurtenances must be made in writing to the department of Public Works prior to October 1<sup>st</sup> of the year preceding the Annual Town Meeting for which said acceptance is requested.

Accompanying the request must be a written description of distances and bearings (running closure) of each street.

SECTION VIII. REQUIREMENTS OF AN APPROVED INDUSTRIAL OR COMMERCIAL SUBDIVISION

A. Suitability of Land

Same as SECTION III B-3

B. Suitability of Street System

Same as SECTIONS IV, V, VI, VII - EXCEPT

Width: The minimum width of streets shall be fifty (50) feet. All streets determined to be major streets by the Planning Board shall have a layout width of sixty (60) feet.

C. Construction

1. Roadway Earth Excavation.

The Roadway shall be excavated to a depth of eighteen (18) inches below the proposed finish grade. If the condition of the bottom of the excavation is unsatisfactory, the Roadway shall be excavated deeper and the space filled with clean gravel as directed by the Chief Engineer. The plane of the bottom of the excavation shall be true to the lines, grades and cross-sections of the given finished streets.

2. Gravel Base

Prior to placing any gravel in the sub-grade, due notice must be given to the Chief Engineer to provide for inspection of the sub-grade and the gravel to be used. Grade stakes on both sides of the street and every fifty (50) feet must be placed and marked by competent engineers prior to the above notification. Gravel for base shall be spread in two six (6) in layers to a total depth of twelve (12) inches, each layer so placed shall be thoroughly watered and rolled true to lines and grades, with a roller weighing not less than twelve (12) tons. Any depressions that appear during or after rolling shall be filled with gravel and re-rolled until the surface during or after rolling shall be filled with gravel and re-rolled until the surface is true and even. Compaction must be satisfactory to the Chief Engineer.

3. Crushed Stone

A crushed stone base course shall be laid on the gravel base so that its depth after rolling will be three and one-half ( $3 \frac{1}{2}$ ) inches. The stone for base course shall be a two (2) inch stone of which 100% passes to a two and one-fourth ( $2 \frac{1}{4}$ ) inch sieve and none passes a one (1) inch sieve. The stone shall be a clean durable crushed rock consisting of angular fragments obtained by crushing natural rock or crushing gravel boulders that are at least eight (8) inches in diameter.

The crushed stone shall be spread and graded by mechanical means to the grades and cross-section of the finished street. It shall be rolled only enough to assure a proper finished base grade and to allow passage of the tar trucks.

4. Penetrating with Bitumen

An application of OA-3 or OA-4 shall be applied to the stone base at a rate of two (2) gallons per square yard. When the bituminous material has been applied, sufficient peastone ( $\frac{1}{2}$  inch stone) shall be spread on the surface and broomed into the voids, so that when rolled as directed, the surface course shall be thoroughly bonded and compacted. Care shall be taken not to allow the trucks to pick up the oiled stone. If this condition exists, the tires must be continuously wiped with kerosene so that no pick-up occurs. The surface then shall be rolled continuously until the surface is true and unyielding. The roller shall weigh not less than twelve (12) tons and have a weight per inch at width of rear wheels of not less than four hundred (400) pounds. The rolling shall be in a longitudinal direction with each successive trip overlapping twelve (12) inches or less.

5. Bituminous Concrete Pavement

A Type I wearing surface shall be placed on the penetrated stone base, or black base, in two layers. An approved mechanical spreader shall be used. A binder course will be spread in a layer one and one-fourth ( $1 \frac{1}{4}$ ) inches thick after rolling. Rolling by a tandem roller will continue until compaction is complete. The roller shall weigh not less than two hundred and eighty five (285) pounds per inch of wheel width. After the binder course has been completed, all castings, water and gas gates, etc., shall be raised to a height of one and one-fourth ( $1 \frac{1}{4}$ ) inches above the binder course. Care must be taken that these castings conform to the plane of the finished street at their location. All excavation due to the setting of these castings shall be backfilled with Portland Cement concrete of a 1-2-4 mix. This concrete shall have at least twenty-four (24) hours to set before the top course of bituminous concrete is applied to the street.

The Type I Top shall then be applied to a depth that will be one and one-fourth ( $1 \frac{1}{4}$ ) inches after compaction and rolled until compaction is completed to the satisfaction of the Chief Engineer. Care shall be taken that the joints do not show.

No Bituminous material shall be laid between November 15<sup>th</sup> and March 15<sup>th</sup>.

6. All Industrial and commercial subdivisions shall also be subject to all the Rules and Regulations of the Natick Planning Board as stated in this booklet, and as specified by the Subdivision Control Law, as amended.

#### SECTION IX. SPECIFICATIONS FOR SEWER CONSTRUCTION

##### A. Brick

The brick shall be new, well-formed, whole clay bricks of the best quality, burned hard entirely through, free from imperfections, cracks, and flaws, tough and strong, and shall have a clear ring when struck together.

The mean of the absorption of five (5) representative samples shall not exceed fifteen percent (15%), and the individual absorption of any one sample shall not exceed seventeen and one-half percent (17 ½%). The mean of a compressive strength of five (5) representative samples shall not be less than three thousand (3000) pounds per square inch and the compressive strength of any one sample shall not be less than twenty-five hundred (2,500) pounds per square inch.

All brick masonry shall be laid with the quality of Portland Cement Mortar as specified below and be of the best quality. The brick shall be laid to align, if practicable, with the beds in the line of the radii of the curves, and with as close joints (not exceeding one-fourth for face work) as may be from time to time directed. The brick is to be thoroughly wet just before laying. Every brick to be completely embedded in mortar at its bottom, side and end, at one operation. Care shall be taken to have the interior surfaces smooth and regular. All interior joints shall be taken carefully jointed with an iron tool before the mortar is set. Manholes of the required dimensions shall be built where directed. Competent mechanics shall be employed for this work; and for the invert of the sewer manhole, the best skilled labor shall be employed.

##### B. Plastering

The exterior surface of all manholes shall be neatly plastered with one-half (1/2) inch coating of Portland Cement Mortar so applied as to secure water-tight masonry. All water shall be kept below the level of the bottom of the brick work as long as required by the Chief Engineer.

##### C. Pipe

Pipe for construction of sewer shall be of the following kinds and not less than six (6) inches in diameter: vitrified clay, asbestos cement, or cast iron. All pipes shall be laid true to line and grades as shown on the plans. Each section of pipe shall have a full firm bearing throughout its length. All joints for the vitrified clay shall be packed with a tarred jute acceptable to the Chief Engineer. A bituminous compound, equal to "GK Compounds" or "Sewer Seal", which is satisfactory to the Chief Engineer will be used for the vitrified clay pipe sewer joints. All joints for the asbestos cement pipe shall be sealed in a manner recommended by the Manufacturer. All joints for the cast iron shall be soft lead. Vitrified clay pipe shall not be used where the depth of cover above the top of the pipe is less than three (3) feet. The class of asbestos-cement pipe to be used will be determined by the Chief Engineer, depending on the depth of trench. The classes which may be required are as follows: Class 1500, Class 2400, Class 3300, and Class 5000.

##### D. Pipe Laying

All pipes shall be accurately laid to lines and elevations given by the Chief Engineer or shown on plans with close joints all around, with particular care that there are no sags in the slope and that a true and even surface is given to invert. No pipe or structure shall be covered with back fill until it has been examined and approved by the inspector.

E. Mortar

All mortar shall be prepared with Portland Cement in perfect condition and approved quality, and consist of one part cement and two parts sand. The ingredients shall be thoroughly mixed dry, a moderate dose of water afterwards added, which will produce a paste of the proper consistency, and the mixture thoroughly worked with hoes or other means. The mortar shall be freshly mixed for the work at hand in proper beds made for that purpose. No retempered mortar shall be used.

SECTION X. SPECIFICATIONS COVERING TRENCH EXCAVATION AND TRENCH REPAIR ON STREET IN NATICK MASSACHUSETTS

A. Street Opening Permit

Prior to requesting a Street Opening Permit, a plan is to be filed with the Department of Public Works setting forth the location and extent of the proposed work. Also the type of piping or duct-work, manhole locations with cross-sections of the proposed structures and gate locations are to be shown on the plan. A charge of \$100.00 is made for each Street Opening Permit.

B. Bond

A performance bond or certified check equal to the estimated cost of the street repair is to be filed with the Department of Public Works.

C. Traffic

The work is to be planned and laid out so that the flow of traffic is not interrupt along the street. Excavated material, if interfering with the flow of traffic is to be immediately picked up and removed from the site. Trench crossings – steel plate or otherwise – are to be provided at street intersections and driveways if so directed by the Chief Engineer. If directed by the Chief Engineer, the contractor is to request, and pay for a Police Officer.

D. Back-Filling

Material similar to the excavated material is to be replaced in the trench in six (6) inch layers and compacted to the complete satisfaction of the Chief Engineer.

E. Unpaved Roads

The top twelve (12) inches is to be sharp bank gravel completely compacted, graded and rolled, to the satisfaction of the Chief Engineer.

F. Secondary Roads -- Paved

Fourteen (14) inches below the street surface, the contractor will place twelve (12) inches of bank gravel in two layers, thoroughly compacted. Where directed by the Chief Engineer, the edges of the trench shall be re-cut to give the trench straight edges. The top two (2) inches shall consist of Type I Bituminous Concrete, raked high enough to allow satisfactory compaction to a

true plane with the street surface. The trench edge shall be coated with asphalt emulsion and covered with sand.

G. Primary Roads

The twelve (12) inch layer of gravel is to be placed and compacted as for secondary roads. This gravel is to be placed between twenty (20) inches and eight (8) inches below street surface. Next the trench sides are to be re-cut to a distance of six (6) inches beyond the excavation along straight, parallel surface. Next a seven (7) inch layer of 1-2-4 mix concrete (High early cement must be used) is to be placed in the trench. This concrete must have a roughened surface and must be traffic free for at least twenty-four hours. Next, a one inch layer of Type I top will be placed and compacted to a true plane with the street surface. The trench edges will be coated with asphalt emulsion and covered with sand.

SECTION X. ADMINISTRATION

A. Variation

Strict compliance with the requirements of these Rules and Regulations may be waived when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law.

B. Reference

For matters not covered by these Rules and Regulations, a reference should be made to Chapter 41, Sections 81-A to 81-GG inclusive, as amended.

The Subdivision Control Law is now in effect in the Town of Natick.